



SAN DIEGO CITY SCHOOLS

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**Office of the Superintendent
Chief of Staff**

September 19, 2000

Honorable Wayne L. Peterson
Presiding Judge of the Superior Court
State of California
220 West Broadway
San Diego, CA 92101

Dear Judge Peterson:

SUBJECT: Grand Jury Report: "Security in San Diego City Schools"

Pursuant to the above mentioned report, dated June 20, 2000, enclosed is the San Diego Unified School District's formal, required response to the findings and recommendations.

If additional information is needed, please contact me and I will see that it is provided as quickly as possible.

Sincerely,

Terrance L. Smith
Chief of Staff

TLS:db

Enclosures

c: Board of Education
J. A. SawyerKnoll, General Counsel

REQUIREMENTS AND INSTRUCTIONS

The California Penal Code 933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. *Such comment shall be no later than 90 days after the grand jury submits its report to the public agency.* Also, every ELECTED county officer or agency head for which the Grand Jury has responsibility shall comment on the findings and recommendations pertaining to matters under the control of that county officer or agency head, as well as any agency or agencies which that officer or agency head supervises or controls. *Such comments shall be made within 60 days to the Presiding Judge of the Superior Court with an information copy sent to the Board of Supervisors.*

Furthermore, California Penal Code 933.05(a),(b),(c) details, as follows, the manner in which such comment (are) to be made:

- (1) As to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that disputed and shall include an explanation of the reasons therefor.
- (2) As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:
 - (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of the publication of the Grand Jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
- (3) If a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer both the agency or department head and the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code 933.05 are required from the:

San Diego Unified School District

RECOMMENDATIONS: 00-74 through 00-86

**SAN DIEGO UNIFIED SCHOOL DISTRICT
RESPONSE TO GRAND JURY REPORT**

“SECURITY IN SAN DIEGO CITY SCHOOLS”

Dated June 20, 2000

Pursuant to Penal Code Section 933.05, the San Diego Unified School District provides the following responses to the above-entitled Grand Jury Report.

FINDINGS:

- 1. The San Diego Unified School District is considered to have an overall “Moderate Security” rating (11% of the national study group) as defined by the U.S. Department of Education and confirmed by the School Police.**

The Respondent agrees with this finding. The San Diego Unified School District is proud of its commitment to provide safe and secure schools that enhance teaching and learning. The District believes in a “balanced” need to ensure safety, yet not create an environment that inhibits public education. We believe our security measures meet that goal.

- 2. No school in the District meets the “Stringent” security rating (2% of national study group) according to the definition provided by the U.S. Department of Education and confirmed by School Police.**

The Respondent agrees with this finding. Comments to Finding #1 also applicable.

- 3. Educators and law enforcement personnel agree that it is virtually impossible to develop a school security system that would secure a school site completely from crime and violence.**

The Respondent agrees with this finding. San Diego Unified School District remains committed to improving school security through environmental design and electronic technology. The District further remains committed to reduce school violence through counseling and mediation. The San Diego Unified School District is the only K-12 district in County of San Diego utilizing a School Police Department to ensure the highest level of student safety.

- 4. Educators and law enforcement personnel also agree that school campuses be preserved as learning centers and not fortresses and do not favor the use of guard dogs, video surveillance equipment or metal detectors.**

The Respondent agrees with this finding. San Diego Unified School District believes other methods and resources remain available to effect safe and secure schools. Utilizing

community-policing strategies, as well as a Campus Crime Stoppers program and other pro-active programs, preserve schools as centers for safe learning.

5. **National, State and County data show that overall crime in schools generally appears to be leveling off, although violent crimes are trending upwards.**

The Respondent agrees with this finding.

6. **Total number of reported crimes in the San Diego Unified School District during the three school-year period 1996-1997 to 1998-1999 has increased from 1,592 to 2,448. During the same period violent crimes have increased from 317 to 422.**

The Respondent agrees with this finding. However, the finding fails to note the increase in student population, increase in total number of schools, and the increase of school police personnel who gather such statistics. The San Diego Unified School District believes, to determine an accurate crime picture, the Grand Jury should compare the number of incidents per a select number of students. This method of incident rate comparison would reflect any changes in student enrollment from year to year.

7. **Different areas and schools have different types of crime. SDPD and school personnel firmly believe a customized security program is needed for each school or group of schools.**

The Respondent agrees with this finding. The San Diego Police Department, as well as the San Diego Unified School District Police Services Department, believe in and practice Community Oriented Policing. The conceptual design of this program simply utilizes problem-solving techniques tailored to address specific problems or needs of an individual school. This now traditional method of policing clearly meets the needs of our students and staff.

8. **Property crimes and drug and alcohol related crimes are the most prevalent in the District.**

The Respondent agrees with this finding. Two years ago, the San Diego Unified School District implemented changes in capturing data and reporting crime. Our cross-reporting system provides for a “check and balance” between suspension/expulsion information and crime reporting. The results of our efforts have demonstrated an increase in accurate reporting, providing a clear picture of where future resources should be applied.

9. **Many District schools have security problems with access control but lack the resources to resolve them.**

The Respondent partially disagrees with this finding. The San Diego Unified School District utilizes and maintains a district-wide alarm system to control ingress and egress during after school hours and on weekends. Additionally, each school creates and maintains comprehensive school safety plans which address school safety and security

issues unique to the school site. Based upon their budget, school administrators decide on the number of student supervision aides necessary for their site and direct these aides to maintain some form of access control.

10. Some schools are reducing the number of Campus Security Officers (CSO) or Security Aides in order to fund mandated changes to their curricula.

The Respondent disagrees with the finding. No CSO positions have been reduced in the 2000-01 budget plan. CSO positions are funded centrally from integration funds. The District does not budget for or fund security aides. Sites have used categorical funding sources for “instructional aides.” The school site is responsible for the assignment of their duties.

11. Some people in the affected schools are concerned about the cutbacks of CSO’s and Security Aides.

The Respondent disagrees with the finding. While school sites have lost the decision-making power over some categorical funds, all school sites will be participating in one or more “Site Block Grant” programs made available by the State of California in 2000-01. The school sites will be free to use these funds based on their priority.

12. Schools throughout the district are in the process of developing and implementing early warning systems to identify potential sources of violence or troubled students.

The Respondent disagrees with the finding. While some schools may be in the process of implementing early warning systems, the term “early warning system” has been defined throughout the Grand Jury Report as student profiling, which it consistently labels as ineffective. The District agrees with the Grand Jury Report, which expresses “reservations about the efficacy, legality and desirability of such generalized systems” (page 7). The District is, however, implementing proactive early response systems at all school sites via their comprehensive school safety plans. This early response system is not a profiling system.

13. Educators believe early warning systems are more effective if developed and implemented by each school rather than by School Police.

The Respondent disagrees with the finding. While some educators may feel this is appropriate, the District does not promote profiling as an effective early warning (or response) system for reasons cited in the Grand Jury Report and as explained more fully in the response to Recommendation 00-83.

14. A major concern regarding the use of early warning systems is the potential breach of privacy.

The Respondent agrees with the finding.

- 15. Many District schools have demonstrated the effectiveness of student and community participation in peer mediation, conflict resolution and crisis intervention.**

The Respondent agrees with the finding.

- 16. Programs designed to provide greater self-esteem and peer respect is more effective if applied at an earlier age.**

The Respondent agrees with this finding.

- 17. All District schools are complying with the California Safe Schools Plan law requiring each school to have a safe school plan but according to the School Police not all schools are reporting crime in a uniform manner.**

The Respondent agrees with this statement. California law requires schools report crime according to standards set forth in the California Safe Schools Assessment Program. School Police Services administer this program for the District and works diligently to improve school reporting.

- 18. Some school personnel appear to regard the CSSA reporting request as simply another bureaucratic request for data without giving it due attention. This may impact the accuracy of their reporting.**

The Respondent agrees with this statement. Unfortunately some individuals are uninformed as to the importance of this program. The District uses this data for planning and implementing safe school strategies. This data documents trends statewide in school safety and reflects the positive steps taken to prevent or reduce crime on school campuses. We further use the data to determine where school police officers are placed and what type of effective crime prevention programs should be used to address specific identified problems. Because a school's environment significantly influences a student's opportunity to learn, we believe effective safety and security programs enhance the teaching and learning process. We will continue to contact and inform site administrators on the requirements and value of CSSA reporting.

- 19. Safe Schools Plans must be evaluated and undated annually.**

The Respondent agrees with this statement. The District's School Police Services oversees this responsibility to ensure that schools comply.

- 20. The San Diego Unified School District Police Department and the San Diego Police Department have an excellent working relationship.**

The Respondent agrees with this statement. The District is proud of this relationship to provide safe and secure schools.

21. Most schools enjoy a close relationship with the San Diego Police Department.

The Respondent agrees with this statement. The District encourages schools to partner with San Diego Police officers in their communities.

22. Information about the School Police Campus Crime Stoppers program and the Anonymous Hot Tip Line for reporting crimes on campus has not been widely disseminated.

The Respondent disagrees with this statement. The Campus Crime Stoppers program is a relatively new program for the District. The District teamed up with the San Diego Crimes Stoppers program to develop this extension of their already successful program. The District has developed and circulated posters and pencils to all secondary schools and announced information about the program in the District's bulletin. Many schools are now beginning to provide an Internet link from their school web site to Crime Stoppers for students and staff wishing to either learn more information or report criminal activity.

23. Zero Tolerance is not uniformly enforced by all schools.

The Respondent agrees with this statement.

24. Dress Code is not uniformly endorsed throughout the District.

The Respondent agrees with this statement.

25. Some schools in the District enjoy financial benefits from private and public sector funding but others lack resources to seek and compare for such benefits.

The Respondent agrees with this statement.

RECOMMENDATIONS

00-74: That the Superintendent of the San Diego Unified School District review its security policies and procedures and identify reasons for the increase in crime in recent years.

The recommendation has been implemented. The Grand Jury finding notes increases in crimes against persons, drug and alcohol offenses, and other crimes, specifically bomb threats. The findings were based upon raw numbers rather than a percentage change based upon student enrollment. A recent preliminary analysis conducted by School Police Services show a 4% decrease in crimes against persons in our middle and junior high schools. Our recent analysis further shows the increase in bomb threats occurred within two weeks following the mass media attention given to the Columbine High School incident. Since that incident, the percentage of bomb threats remained consistent with earlier years. The District agrees that drug and alcohol offenses did increase and

efforts continue to provide assistance to students and their families in need of drug and alcohol counseling.

00-75: That the Superintendent of the San Diego Unified School District continue researching new programs designed to reduce the number of crimes.

The recommendation has been implemented. The District's School Police Services will continue to seek out new programs and resources to provide for safer schools.

00-76: That the Superintendent of the San Diego Unified School District consider need for Community Service Officer and other security systems in prioritizing its budget for the coming fiscal year.

This recommendation has been implemented. The District will review this recommendation in the context of all known resources and needs for the District. Final recommendations will be presented to the Board of Education for approval.

00-77: That the Superintendent of the San Diego Unified School District examine the variance in Zero Tolerance enforcement among schools.

This recommendation has not yet been implemented but shall be by December 31, 2000, by the Office of General Counsel.

00-78: That the Superintendent of the San Diego Unified School District provide assistance and resources and encourage schools to seek grant funds from private and public sectors and foundations for new and existing security programs.

The recommendation has been implemented. The District provides schools with assistance in grant identification and grant writing. As available assistance needs and resources are identified, budgetary decisions will be recommended to the Board of Education for consideration.

00-79: That the Superintendent of the San Diego Unified School District seek and access all possible funding from State and local governments and private sector to devote to school security measures.

The recommendation has been implemented. The District's School Police Services will continue to seek out funding resources to provide for safer schools.

00-80: That the Superintendent of the San Diego Unified School District encourage each school to design security programs appropriate to its campus and surrounding community.

The recommendation has been implemented. The District is in compliance with State law that mandates comprehensive school safety plans for each of its schools. A key

component to each plan is that they are updated annually and specific to each school and its community.

00-81: That the Superintendent of the San Diego Unified School District encourage schools to involve students, teachers, parents and the community in addressing security concerns.

The recommendation has been implemented. The District is required by state law to annually create comprehensive school safety plans for each school. A key component of these plans require schools to announce and conduct a public meeting at the school site, prior to submitting the final safety plan. This method ensures input from all interested parties.

00-82: That the Superintendent of the San Diego Unified School District recommend that schools design and implement programs focusing on conflict resolution, anger management and mediation.

The recommendation has been implemented. The recommendation was implemented years ago through the Counseling and Guidance, Race/Human Relations, Life Skills, and Special Education programs. The Grand Jury Report itself noted that San Diego City Schools was positively cited for its efforts in peer mediation, conflict resolution, anger management, and crisis intervention to “diffuse potential eruption of violence” (pp. 1,9,10-12). Schools will continue to devote efforts to implementing these programs, which have consistently proven to be effective components of an “early response system.”

00-83: That the Superintendent of the San Diego Unified School District recommend each school explore early warning system, sensitive to privacy issues and appropriate to its campus, to help identify potential sources and causes of security problems.

The recommendation will not be implemented. The District believes it is not reasonable as consistently defined in this report by the term “profiling.” The District does not recommend the use of “early warning systems” to create student profiles and agrees with the conclusion of the Federal Bureau of Investigations, the United States Secret Service, and the School Violence Alert publication cited in the Grand Jury Report (page 4). These concerns center on “potential legal liability issues” and the creation of profiles that “cannot be completely accurate and can result in erroneous assessments.” In addition, the FBI warns against “over-reliance on risk assessments and profiling” and the Secret Service has “concluded that school shooters cannot be profiled, and potentially violent students cannot be identified.”

According to the Grand Jury Report, student profiling software programs are fraught with problems. The report is critical of these programs because “people cannot be judged by their appearance [or] ... profiled as if they were machines” and concludes that “these profiles [are] largely subjective and might not be authorized by parents of students” (page 5). Additionally, “a major concern regarding these early warning systems is the potential

lack of privacy and security of the data. The potential for abuse of privacy which could be justified under the guise of school safety is unlimited” (page 5).

Based upon the evidence presented in the Grand Jury Report, the District feels that the potential for abuse by profiling far outweighs the benefits. The preponderance of evidence against profiling—liability issues; inaccurate and subjective profiles and erroneous assessments; the impossibility of profiling school shooters and identifying potentially violent students; lack of parental authorization; potential privacy and data security problems—make it an ineffective method upon which to base an early response system.

In lieu of profiling, the district strongly believes that an efficacious early response system incorporates proactive programs involving staff, students, parents, and community members. As cited on pages 9-10 in the report, many schools are implementing new programs and ideas on how to reduce tension and violence through mediation, counseling, and community participation. The district is continuing its efforts to reduce school crime by assisting schools in developing security programs individually tailored to the needs of their campus communities. These include expanded security plans, consistent enforcement of the district’s zero tolerance and sexual harassment policies, and implementation of peer mediation, conflict resolution, anger management, and crisis intervention.

00-84: That the Superintendent of the San Diego Unified School District recommend that each school design programs integrating families and students to develop their self esteem and mutual respect.

The recommendation has been implemented. Many programs are currently in place in our schools such as Early Mental Health, Growth Groups, Healthy Start Centers, Kiwanis Counseling and others that deal directly with integrating families and students to develop self-esteem and mutual respect. The District further has reorganized for the 2000-2001 school year, creating a Division for Student Support Services and a Department for Counseling and Guidance. Both of these new entities are working with schools on the issue of student and family support. We believe this structure will strongly support the expansion of existing programs to all our schools.

00-85: That the Superintendent of the San Diego Unified School District urge all schools to consider mandatory dress codes.

The recommendation will not be implemented. The District currently provides clear policy and procedure relating to appropriate dress for students in schools. Although the District does have several schools utilizing school uniforms, this “one size fits all” approach is not reasonable for a large urban school district.

00-86: That the Superintendent of the San Diego Unified School District urge all schools to disseminate information concerning the District's anonymous Hot Tip Line.

The recommendation has been implemented. The District remains committed to the Campus Crime Stoppers program. The District has done several things to disseminate information as outlined in our response to Finding #22.